

**REMARKS**

Claims 1-37 were pending in the application. Claims 10 and 16 are herein amended. Claim 17 is hereby canceled. New claims 38-41 are herein added.

*Rejections under 35 U.S.C. §102(e)*

The Examiner has rejected claims 1, 4-14, 26, 30-32 and 36-37 under 35 U.S.C. §102(e) as being anticipated by Tran (US Patent 6,269,075). For the reasons set forth below, it is respectfully submitted that these claims are patentable over the applied art.

To properly establish a prime facie case of anticipation, all of the claimed elements must be found in a single prior art reference. If any of the claimed elements are not found in the reference, then a case of anticipation cannot be properly established.

Claim 1 contains the element: "performing the searching and processing a plurality of times such that the searching for a next set of candidate peaks is performed in parallel with the processing for a current set of candidate peaks."

The Examiner states that Tran teaches this element, citing to the fingers of Fig. 1 and Col. 5. The Examiner is mistaken. The fingers of Tran each look for a candidate peak in parallel with each other. This is merely the handling of a single set of candidate peaks. Tran does not discuss or suggest the searching for a next set of candidate peaks while the current set is being processed. Thus, claim 1 should be allowable over Tran. Claims 4-14 are all ultimately dependent upon claim 1 and should be allowable as being based upon an allowable claim.

Moreover, claim 6 should be allowable for additional reasons. Claim 6 contains the element: "re-evaluating each detected peak to remove noise peaks and provide the one or more candidate peaks." The Examiner states that Tran teaches this element, citing to a discussion involving deriving a timing offset for the best

candidate peak. This is not the claimed element. Simply put, Tran has already determined the best candidate peak, while the claimed method comprises re-evaluating each detected peak to remove noise peaks and provide the one or more candidate peaks.

Claim 9 is also allowable for additional reasons. Claim 9 contains the language "using a plurality of sets of parameter values for the plurality of times." The Examiner states that Tran teaches this, citing to Fig. 1. This is incorrect. Tran does not teach or suggest using a plurality of sets of parameter values for the plurality of times. Rather Tran teaches multiplying an early, on-time and late in-phase and quadrature signals with the in-phase and quadrature PN sequences. See Col. 6, lines 4-9.

These PN sequences are a single set of values, not a plurality of sets of values and in any event, do not correspond to the parameters as discussed in the present specification.

Claim 10 is allowable for additional reasons. Claim 10 is based upon claim 9 and contains the language "wherein each set of parameter values includes a first value representing a number of chips for coherent accumulation of despread samples and a second value representing a number of chips for non-coherent accumulation of pilot symbols." The in-phase and quadrature PN sequences of Tran simply do not represent a number of chips for coherent accumulation of despread samples and a number of chips for non-coherent accumulation of pilot symbols.

Likewise, claim 14 is allowable for additional reasons. Claim 14 states that "the CDMA system conforms to W-CDMA or TS-CDMA standard." Tran does not teach or suggest W-CDMA or TS-CDMA.

Claims 26 and 32 contain the language: "wherein the one or more finger processors are operated in parallel with the searcher such that the finger processors process a current set of candidate peaks while the searcher searches for a next set of candidate peaks." The Examiner states that this is taught by Tran. The Examiner is

mistaken. The fingers of Tran each look for a candidate peak in parallel with each other. This is merely the handling of a single set of candidate peaks. Tran does not discuss the searching for a next set of candidate peaks while the current set is being processed. Thus, claims 26 and 32 should be allowable. Claims 30-31 and 36-37 are based upon claims 26 and 32, respectively and should also be allowable as being based upon an allowable claim.

The Examiner has rejected claims 16, 18, and 20-24 under 35 U.S.C. § 102(e) as being anticipated by Van Stralen (US Patent 6,621,855). Claim 16 has been amended to include the limitations of claim 17 and claim 17 has been canceled. Amended claim 16 is believed to be allowable as it contains the limitation: "terminating the evaluating upon detection of pilot acquisition." This is not taught or suggested by any of the cited art. This limitation was discussed by the Examiner with respect to a 103 rejection citing to Yamamoto. As discussed below with respect to claims 3 and 15, Yamamoto teaches away from this limitation. Amended claim 16 should therefore be allowable.

Claims 18 and 20-24 all ultimately depend from claim 16 and should therefore be allowable as well.

Claim 21 should be allowable for additional reasons as well. Claim 21 contains the language "re-evaluating each detected peak to remove noise peaks." This is not taught or suggested by Van Stralen. Van Stralen is directed to the removal of phase errors, so that the correlation peaks are above the noise floor, not the removal of noise peaks. See col. 2, lines 50-63. Thus, claim 21 should be allowable.

Claim 23 should also be allowable for additional reasons. It contains the language "and the processing for each candidate peak in a particular set is performed by a respective finger processor..." Van Stralen is directed to a searcher, not finger processors.

*Rejections under 35 U.S.C. §103(a)*

The Examiner has rejected claims 2-3, 15, 27 and 33 under 35 U.S.C. §103(a) as being unpatentable over Tran in view of Yamamoto (US Patent 5,966,402). For the reasons set forth below, it is respectfully submitted that these claims are patentable over the applied art.

Claims 2 and 3 are based upon on claim 1 which is believed to be allowable. Thus, claims 2 and 3 should be allowable as well.

Additionally, claim 3 contains the element "terminating the searching and processing early upon detection of pilot acquisition." The Examiner does not specifically address this claim, but similar language appears in claim 15 and there, the Examiner states that the element is taught by Yamamoto in Col. 7 lines 15-20. The Examiner is mistaken. Yamamoto actually teaches away from the claimed language in this section. Yamamoto clearly states that steps S5 to S8 are performed on ALL of the pilot candidate signals and the process does not terminate until ALL have been searched. Thus, the termination is not early. Claim 3 should be allowable.

Claim 15 contains the elements:

pipelining the searching and processing for different sets of candidate peaks such that the searching for a next set of candidate peaks is performed in parallel with the processing for a current set of candidate peaks; and

terminating the searching and processing upon detection of pilot acquisition.

Neither of these elements is taught or suggested by the cited art. The fingers of Tran each look for a candidate peak in parallel with each other. This is merely a handling of a single set of candidate peaks. Tran does not discuss or suggest the searching for a next set of candidate peaks while the current set is being processed. Yamamoto adds nothing. Additionally, Yamamoto does not teach the termination of the search upon detection of pilot acquisition. Yamamoto actually teaches away from the claimed

language in this section. Yamamoto clearly states that steps S5 to S8 are performed on ALL of the pilot candidate signals and the process does not terminate until ALL have been searched. Thus, the termination is not early. To this, Tran adds nothing. Thus, claim 15 should be allowable.

Both claims 27 and 33 contain the language "the searcher and one or more finger processors are further operative to terminate pilot acquisition upon detection of successful pilot acquisition." As discussed above, with respect to claims 3 and 15, Yamamoto teaches away from this language. Thus, claims 27 and 33 should be allowable. Additionally, these claims should be allowable as being based on allowable claims, namely claim 26 and 32, respectively.

The Examiner has rejected claims 17, 19 and 25 under 35 U.S.C. §103(a) as being unpatentable over Van Stralen in view of Yamamoto. Claim 17 has been canceled and its limitations incorporated in claim 16. Claim 16 is believed to be allowable for the reasons discussed above. Claim 19 should be allowable for ultimately being based upon claim 16 which should be allowable.

Claim 25 contains the language: "terminating the evaluating upon detection of pilot acquisition." As discussed above, with respect to claim 3, this is not taught or suggested by the prior art. As such, this claim should be allowable.

The Examiner has rejected claims 28-29 and 34-35 under 35 U.S.C. §103(a) as being unpatentable over Tran in view of Van Stralen. Claims 28-29 and 34-35 are ultimately based upon claims 26 and 32, respectively, which are believed to be allowable. Thus, claims 28-29 and 34-35 should also be allowable.

Moreover, claims 28 and 34 contain the language: "the searcher is operative to search for the next set of candidate peaks ... while the one or more finger processors are operative to process the current set of candidate peaks ..." Neither reference teaches this. Van Stralen is directed to a searcher and does not disclose fingers. Thus, these claims should be allowable.